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SENATE BILL 5136

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State of Washington

57th Legislature

2001 Regular Session

By Senators Fairley, Patterson, Kohl-Welles, Regala, B. Sheldon,  
Costa, Prentice, Jacobsen, Oke and Winsley

Read first time 01/12/2001. Referred to Committee on State & Local  
Government.

1 AN ACT Relating to initiative review; and adding new sections  
2 to chapter 29.79 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The initiative review commission is  
5 established, consisting of three members appointed by the governor  
6 and confirmed by the senate. Two members must be retired judges of  
7 a court of record. No person may serve on the commission if, within  
8 the year before appointment, he or she has been an elected state  
9 or local official or a registered lobbyist. Appointments must be  
10 made before March 1st of each odd-numbered year and will be for  
11 terms of two years. The governor shall fill vacancies by  
12 appointment. The commission shall select a chair from among its  
13 members.

14 NEW SECTION. **Sec. 2.** Within forty-five days after the date of  
15 certification of sufficiency under RCW 29.79.230 or the  
16 certification of a rejected initiative to the legislature under  
17 RCW 29.79.270, the commission shall conduct an analysis to

1 determine if, as a matter of settled law, there is a significant  
2 likelihood the measure may be contrary to the state Constitution  
3 or the Constitution or laws of the United States. The commission  
4 may adopt procedures it deems appropriate to obtain submissions  
5 from interested parties on the issues raised by the measures.

6 NEW SECTION. **Sec. 3.** If a majority of the commission finds  
7 that, as a matter of settled law, there is a significant  
8 likelihood the measure may be contrary to the state Constitution  
9 or the Constitution or laws of the United States it shall prepare  
10 a statement for inclusion in the voters' pamphlet that lists the  
11 potential challenges. The statement will appear adjacent to the  
12 ballot measure summary prepared by the attorney general and must  
13 be clearly identified as the statement of the initiative review  
14 commission. The statement must include a statement that the  
15 commission's findings are preliminary and not binding on any party  
16 or court.

17 NEW SECTION. **Sec. 4.** The legislature shall appropriate funds to  
18 enable the commission to carry out its duties. Members will receive  
19 one hundred dollars of compensation for each day spent in the  
20 performance of their duties. RCW 43.03.050 and 43.03.060 apply to  
21 the members of the commission and counsel or staff retained by the  
22 commission.

23 NEW SECTION. **Sec. 5.** The commission may retain such legal  
24 counsel and administrative staff as necessary to perform its  
25 duties. The commission shall determine the compensation for counsel  
26 and administrative staff.

27 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are added  
28 to chapter 29.79 RCW.

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